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DITTHAVONG MORI & STEINER, P.C.  
918 Prince Street  
Alexandria, VA 22314

EXAMINER
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LEE, JAE YOUNG

ART UNIT	PAPER NUMBER
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2466

NOTIFICATION DATE	DELIVERY MODE
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03/29/2011

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/567,474	<b>Applicant(s)</b> MICHL, ANDREAS	
	<b>Examiner</b> JAE Y. LEE	<b>Art Unit</b> 2466	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 January 2011.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,6-11,13 and 15-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4, 6-11, 13, and 15-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)         | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

***Response to Amendments***

1. Claims 3, 5, 12, and 14 have been canceled.

***Response to Arguments***

2. Applicant's arguments filed on 13 January 2011 have been fully considered but they are not persuasive.
3. On page 12 of the applicant's arguments, the applicant argues that Bertram does not teach "a sequence of messages, and markings which may be selected are not based on a predefined additional item of information stored during storage messages in the storage device." The second display is not a display of a course of a first characteristic feature, but rather is essentially an expansion of a single point and shows the entire 12 hour time period for one server (i.e., one point) of the first display. No first characteristic is involved. The markings mark times on the second display; as shown each hour is marked. The markings are not based on an additional item of information stored during the storage of the messages.
4. The examiner respectfully disagrees with the applicant's arguments because Bertram teaches CPU provide obtains or fetches various parameters including memory I/O parameter in associated with % storage capacity, which is stored in database (Fig. 4, col 4 lines 12-32, col 5 lines 19-29, 41-49, col 6 lines 35-50). The first characteristic feature is the line graph indicating % storage capacity on pop up window 101. Furthermore, Bertram also teaches display screen displays, clickable icons produced

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automatically by system, e.g., CPU, on the line graph of % storage capacity change over a 12 hour periods to show line graph of memory I/O parameter, which is store in memory and, by clicking the icon, memory I/O parameter in associated with % storage capacity at corresponding time, e.g., 3PM, which is stored in a database (Fig. 4, col 4 lines 12-32, col 5 lines 19-24, col 6 lines 16-50). Meaning, displaying clickable icon produced automatically by system in the popup display based on memory I/O parameter in associated with % storage capacity at 3PM, which is stored in a database is equivalent to displaying the marking produced automatically by the selector in the second region based on a predefined addition item of information stored during storage of messages in the storage device.

5. On page 13 of the applicant's arguments, the applicant argues that Bertram accomplishes the goal of providing less cluttered graphical display access to communication networks by providing a first display with averages, a second display with an expansion of a point in the first display, and a third display of other information for a point in the second display, not a first display of all messages, a second more limited display showing the course of a first characteristic, and a third display showing messages read in from storage that correspond to a point in the second display.

Therefore, the motivation for modifying the system and method of Pruthi and Bahadiroglu would not result in the claimed limitations.

6. The examiner respectfully disagrees with the applicant's arguments because Pruthi teaches displaying statistics including graph and parameters on multiple regions on a single screen (Fig. 17, Fig. 20, paragraph 0036). Bertram teaches display screen

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displays, clickable icons produced automatically by system, e.g., CPU, on the line graph of % storage capacity change over a 12 hour periods to show line graph of memory I/O parameter, which is store in memory, on second window, e.g., pop-up window 101, and, by clicking the icon, displaying memory I/O parameter in associated with % storage capacity at corresponding time, e.g., 3PM, which is stored in a database, on third window (Fig. 4, col 4 lines 12-32, col 4 lines 12-32, col 5 lines 19-24, col 6 lines 16-50).

Therefore, it would have been obvious to the person of ordinary skill in the art at the time of invention was made to incorporate the displaying technique of Bertram to the system of Pruthi, thereby, a graph is generated based on the analysis parameters on first region of a display screen., and clickable icons are produced automatically on the graph on second region, e.g., second region on the single screen or pop-up window, etc., By clicking the icons, another predefined information is shown on third region, e.g., third region on the single screen or another pop-up window, etc. The motivation would have been to provide less cluttered and easier graphical display access to communication networks and particularly to user interactive access for network monitoring and administration purpose (Bertram col 1 lines 38-45).

7. On page 13 of the applicant's arguments, the applicant argues that Hilliker does not disclose selectable markers that are based on a second characteristic for claims 19, 21.

8. The examiner respectfully disagrees with the applicant's arguments because their parent claims disclose selectable makers that are based on a first characteristic and Bertram teaches CPU provide obtains or fetches various parameters including

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memory I/O parameter in associated with % storage capacity, which is stored in database (Fig. 4, col 4 lines 12-32, col 5 lines 19-29, 41-49, col 6 lines 35-50). The fetches various parameters including memory I/O parameter in associated with % storage capacity, which is stored in database is displayed on the screen display. Those parameters shown on the graph are equivalent to the sequence of messages. The first characteristic feature is the line graph indicating % storage capacity on pop up window 101. Furthermore, Bertram also teaches display screen displays, clickable icons produced automatically by system, e.g., CPU, on the line graph of % storage capacity change over a 12 hour periods to show line graph of memory I/O parameter, which is store in memory and, by clicking the icon, memory I/O parameter in associated with % storage capacity at corresponding time, e.g., 3PM, which is stored in a database (Fig. 4, col 4 lines 12-32, col 5 lines 19-24, col 6 lines 16-50). Meaning, displaying clickable icon produced automatically by system in the popup display based on memory I/O parameter in associated with % storage capacity at 3PM, which is stored in a database is equivalent to displaying the marking produced automatically by the selector in the second region based on a predefined addition item of information stored during storage of messages in the storage device

9.

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

12. **Claim 1, 2, 4, 6-11, 13, 15-18, 20** are rejected under 35 U.S.C. 103(a) as being unpatentable over Pruthi (US 2002/0105911) in view of Bahadiroglu (US 2002/0186660) and Bertram et al. (US 6,144,379).

**For claims 1, 10**, Pruthi discloses a system and method comprising:

- **a message analyzer for analyzing messages which are transmitted, the message analyzer comprising** (Fig. 1: computer C1; Fig 10: traffic visualizer analyzing network traffic):
- **a storage device for storing messages** (Fig. 3 318, paragraph 0036: memory to store packets);
- **a selector for reading in a sequence of temporally successive messages** (paragraph 0034-0036: bit stream is segregated into packets and processor and query engine generating statistics corresponding to the packets stored in memory);

- **a display device for displaying, on a single screen, a first region and one a second region, wherein a the sequence of messages, is read in by means of the selector from the storage device be and displayed in the first region** (Fig. 17, Fig. 20; paragraph 0036: processor and query generating and storing statistics corresponding to packets in memory, paragraph 0037: display device for displaying statistics multiple regions on a single screen),
- **wherein the selector determines, for the first characteristic feature of the messages which are transmitted** (Fig. 16, Fig. 17, Fig. 20: TCP level bit rate; paragraph 0036: processor and query engine generating and storing statistics corresponding to packets in memory) **and the a course of this the first characteristic feature is displayed on the display device in the second region** (Fig. 16, Fig. 17, Fig. 20: TCP level bit rate; paragraph 0037: display device for displaying statistics multiple regions on a single screen)
- **additional item of information stored during storage of messages in the storage device** (Fig. 16, Fig. 17: sequence of messages, Fig. 20: TCP level bit rate; paragraph 0036: statistics in memory; paragraph 0037: providing the statistics to display device)

Pruthi discloses all the subject matter of the claimed invention with the exception of **at least one service access points from layers of an Open Systems Interconnection (OSI) reference model and end system of a subscriber of a mobile telephone system** whereas Pruthi discloses traffic analyzer to analyze TCP/IP



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packet flows (Fig. 13, 16, 17, paragraph 0115-0120). Bahadiroglu from the same or similar fields of endeavor discloses **at least one service access points** (Fig.3 32, paragraph 0089: SAP) **from layers of an Open Systems Interconnection (OSI) reference model** (paragraph 0089: TCP/IP communication through OSI protocol model) **and end system of a subscriber of a mobile telephone system** (paragraph 0036 line 5: mobile node; paragraph 0073: network is interconnected by lines including fiber optic cables, coaxial lines, wireless connections connected to computer, network server, router, mobile phone etc.). Therefore, it would have been obvious to the person of ordinary skill in the art at the time of invention was made to incorporate **at least one service access points from layers of an Open Systems Interconnection (OSI) reference model and end system of a subscriber of a mobile telephone system** of Bahadiroglu to the system and the method of Pruthi, such that TCP/IP communication is analyzed in diverse range of networks including wired and wireless networks interconnected by computer, router through service access point (SAP) of OSI model . The motivation would have been to provide adaptive packet mechanism for optimizing data packet transmission through a connection between the sending node and the receiving node (Bahadiroglu paragraph 0047 lines 1-7).

Pruthi and Bahadiroglu disclose all the subject matter of the claimed invention with the exception of **the sequence of messages read in by the selector is dependent upon a selection of a specific point of the course of the first characteristic feature that is selectable in the second region, the display device is configured to display a selectable marking produced automatically by the**

**selector in the second region based on a predefined additional item of information, upon selection of the marking, a sequence of messages which corresponds to the specific point of the selected marking is read in from the storage device** whereas Pruthi discloses processor and query engine of traffic visualizer generates and stores statistics, e.g. TCP flows, TCP level bit rate, etc., in memory (Fig. 10, Fig. 16, Fig. 17, Fig. 20, paragraph 0036) and display device displaying the statistics including statistics and plot in multiple regions on the screen (Fig. 16, Fig. 17, Fig. 20, paragraph 0037). Bertram from the same or similar fields of endeavor discloses **the sequence of messages read in by the selector** (Fig. 4, col 4 lines 12-32, col 5 lines 19-29, 41-49, col 6 lines 35-50: CPU provide obtains or fetches various parameters including memory I/O parameter in associated with % storage capacity, which is stored in database) **is dependent upon a selection with which a specific point of the course of the first characteristic feature is selectable in the second region** (Fig. 4, col 6 lines 35-50: clicking icon on the line graph indicating % storage capacity on pop up window 101) **the display device is configured to display a selectable marking produced automatically by the selector in the second region based on a predefined additional item of information stored during storage of messages in the storage device** (Fig. 4, col 4 lines 12-32, col 5 lines 19-24, col 6 lines 16-50: display screen displays, clickable icons produced automatically by system, e.g., CPU, on the line graph of % storage capacity change over a 12 hour periods to show line graph of memory I/O parameter, which is store in memory) **upon selection of the marking, a sequence of messages which corresponds to the specific point of the**

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**selected marking is read in from the storage device** (Fig. 4, col 5 lines 19-24, col 6 lines 45-50: by clicking on icon 103', memory I/O parameter in associated with % storage capacity at 3PM, which is stored in a database). Therefore, it would have been obvious to the person of ordinary skill in the art at the time of invention was made to incorporate **the sequence of messages read in by the selector is dependent upon a selection of a specific point of the course of the first characteristic feature that is selectable in the second region, the display device is configured to display a selectable marking produced automatically by the selector in the second region based on a predefined additional item of information, upon selection of the marking, a sequence of messages which corresponds to the specific point of the selected marking is read in from the storage device** of Bertram into the system and the method of Pruthi and Bahadiroglu, such that the display device displays icons, which are automatically produced by system based on predefined information, e.g., change of statistics during 12 hours time period, on line graph of network traffic, and provides parameters on additional window by clicking the icon. The motivation would have been to provide less cluttered and easier graphical display access to communication networks and particularly to user interactive access for network monitoring and administration purpose (Bertram col 1 lines 38-45).

**For claims 2, 11,** Pruthi discloses

- **the selector** (paragraph 0036 lines 3-5: processor and query engine generating statistics corresponding to the packets) determines a second

characteristic feature for messages which are transmitted, and the a course of the second characteristic feature is displayed on the display device in the second region of the display device (Fig. 20: TCP level packet rate; paragraph 0037: display device for displaying statistics multiple regions on a single screen)

Pruthi discloses all the subject matter of the claimed invention with the exception of **a plurality of service access points of a layer of the OSI reference model** whereas Pruthi discloses traffic analyzer to analyze TCP/IP packet flows (Fig. 13, 16, 17, paragraph 0115-0120). Bahadiroglu from the same or similar fields of endeavor discloses **a plurality of service access points** (Fig.3 32, paragraph 0089: SAP) of a layer of the OSI reference model (paragraph 0089: TCP/IP communication through OSI protocol model). Therefore, it would have been obvious to the person of ordinary skill in the art at the time of invention was made to incorporate **a plurality of service access points of a layer of the OSI reference model** of Bahadiroglu to the system and the method of Pruthi, such that TCP/IP communication is analyzed in diverse range of networks including wired and wireless networks interconnected by computer, router through service access point (SAP) of OSI model . The motivation would have been to provide adaptive packet mechanism for optimizing data packet transmission through a connection between the sending node and the receiving node (Bahadiroglu paragraph 0047 lines 1-7).

**For claim 4, 13,** Pruthi discloses the system comprising:

- **message analyzer for analyzing messages which are transmitted, the message analyzer comprising** (Fig. 1: computer C1; Fig 10: traffic visualizer): **a storage device for storing messages** (Fig. 3: 318: paragraph 0036: memory);
- **a storage device for storing messages** (Fig. 3: 318: paragraph 0036: memory);
- **a selector for reading in a sequence of temporally successive messages** (paragraph 0034-0036: bit stream is segregated into packets and processor and query engine generating statistics corresponding to the packets stored in memory);
- **a display device** (paragraph 0037) **for displaying, on a single screen, a first region and one a second region, wherein a the sequence of messages, is read in by means of the selector from the storage device be and displayed in the first region** (Fig. 17, Fig. 20; paragraph 0036: processor and query generating and storing statistics corresponding to packets in memory, paragraph 0037: display device for displaying statistics multiple regions on a single screen),
- **wherein the selector determines, for the first characteristic feature of the messages which are transmitted** (Fig. 16, Fig. 17, Fig. 20: TCP level bit rate; paragraph 0036: processor and query engine generating and storing statistics corresponding to packets in memory) **and the a course of this the first characteristic feature is displayed on the display device in the**

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- second region** (Fig. 16, Fig. 17, Fig. 20: TCP level bit rate; paragraph 0037: display device for displaying statistics multiple regions on a single screen),
- **wherein a sequence of messages is read in from the storage device** (Fig. 16, Fig. 17: sequence of messages; paragraph 0036 lines 13-16: statistics in memory; paragraph 0037 lines 8-11: providing the statistics to display device)

Pruthi discloses all the subject matter of the claimed invention with the exception of **at least one service access points from layers of an Open Systems**

**Interconnection (OSI) reference model and end system of a subscriber of a mobile telephone system** whereas Pruthi discloses traffic analyzer to analyze TCP/IP packet flows (Fig. 13, 16, 17, paragraph 0115-0120). Bahadiroglu from the same or similar fields of endeavor discloses **at least one service access points** (Fig. 3 32, paragraph 0089: SAP) **from layers of an Open Systems Interconnection (OSI) reference model** (paragraph 0089: TCP/IP communication through OSI protocol model) **and end system of a subscriber of a mobile telephone system** (paragraph 0036 line 5: mobile node; paragraph 0073: network is interconnected by lines including fiber optic cables, coaxial lines, wireless connections connected to computer, network server, router, mobile phone etc.). Therefore, it would have been obvious to the person of ordinary skill in the art at the time of invention was made to incorporate **at least one service access points from layers of an Open Systems Interconnection (OSI) reference model and end system of a subscriber of a mobile telephone system** of Bahadiroglu to the system and the method of Pruthi, such that TCP/IP communication is analyzed in diverse range of networks including wired and wireless networks

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interconnected by computer, router through service access point (SAP) of OSI model .

The motivation would have been to provide adaptive packet mechanism for optimizing data packet transmission through a connection between the sending node and the receiving node (Bahadiroglu paragraph 0047 lines 1-7).

Pruthi and Bahadiroglu disclose all the subject matter of the claimed invention with the exception of **a sequence of messages is dependent upon a selection of specific point of the first characteristic feature that is selectable in the second region, a plurality of specific points are marked by respective markings in the course displayed in the second region and, upon selection of a marking of the markings, a sequence of messages which corresponds to the specific point of the selected marking is read in from the storage device** whereas Pruthi discloses processor and query engine of traffic visualizer generates and stores statistics, e.g. TCP flows, TCP level bit rate, etc., in memory (Fig. 10, Fig. 17, Fig. 20, paragraph 0036) and display device displaying the statistics including statistics and plot in multiple regions on the screen (Fig. 17, Fig. 20, paragraph 0037). Bertram from the same or similar fields of endeavor discloses **a sequence of messages** (Fig. 4, col 4 lines 12-32, col 5 lines 19-29, 41-49, col 6 lines 35-50: CPU provide obtains or fetches various parameters including memory I/O parameter in associated with % storage capacity, which is stored in database) **is dependent upon a selection of specific point of the first characteristic feature that is selectable in the second region** (Fig. 4, col lines 35-50: clicking icon on the line graph indicating % storage capacity on pop up window 101), **a plurality of specific points are marked by respective markings in the course**

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**displayed in the second region** (Fig. 4: plurality of icons on window 101) **and, upon selection of a marking of the markings, a sequence of messages which corresponds to the specific point of the selected marking is read in from the storage device** (Fig. 4, col 5 lines 19-24, col 6 lines 45-50: by clicking on icon 103' among the icons, memory I/O parameter is associated with % storage capacity at 3PM, which is stored in a database). Therefore, it would have been obvious to the person of ordinary skill in the art at the time of invention was made to incorporate **a sequence of messages is dependent upon a selection of specific point of the first characteristic feature that is selectable in the second region, a plurality of specific points are marked by respective markings in the course displayed in the second region and, upon selection of a marking of the markings, a sequence of messages which corresponds to the specific point of the selected marking is read in from the storage device** of Bertram into the system and the method of Pruthi and Bahadiroglu, such that the display device displays multiple icons, which are automatically produced by system based on predefined information, e.g., change of statistics during 12 hours time period, on line graph of network traffic, and provides parameters on additional window by clicking the icon. The motivation would have been to provide less cluttered and easier graphical display access to communication networks and particularly to user interactive access for network monitoring and administration purpose (Bertram col 1 lines 38-45).

**For claim 6, 15,** Pruthi discloses



- **the course of the first characteristic feature is displayed in the second region in a coordinate system, wherein the X axis of the coordinate system is a time axis** (Fig. 20: plot of TCP level bit rate having time X axis)

**For claim 7, 16,** Pruthi discloses

- **the third region (Fig. 17) of the course displayed in the second region which corresponds respectively to the sequence of messages currently displayed in the first region** (Fig. 20)

Pruthi discloses all the subject matter of the claimed invention with the exception of **highlighting** whereas Pruthi discloses the third region of the course displayed in the second region which corresponds respectively to the sequence of messages currently displayed in the first region (Fig. 17, Fig. 20). Examiner takes official notice that **message highlighted in display is** well known. Therefore, it is obvious to one having ordinary skill in the art at the time is able to recognize the information of messaging since highlighting is known to the artisan of ordinary skill as design choice.

**For claim 8, 17,** Pruthi discloses

- **the course of the first characteristic feature is displayed in the second region in a coordinate system, wherein the X axis of the coordinate system is subdivided into intervals** (Fig. 20; paragraph 0038 lines 6-9: packets divided into sets during one of successive one-second time periods).

Pruthi does not explicitly disclose **each having an identical number of messages**. However, Pruthi discloses packets divided into sets during one of successive one-second time periods (Fig. 20, paragraph 0038 lines 6-9). Therefore, it is obvious to one having ordinary skill in the art at the time is able to use the identical number of messages during sampling time because the packets divided into sets during one of successive one-second time periods. The motivation would have been to improve reliability by monitoring data on the communication line.

**For claim 9**, Pruthi discloses

- **the first characteristic feature is a number of transmitted messages per interval of time or a data load or a number of messages transmitted repeatedly** (Fig. 20: TCP level bit rate of data stream).

Pruthi discloses all the subject matter of the claimed invention with the exception of **a layer of the OSI reference model** whereas Pruthi discloses traffic analyzer to analyze TCP/IP packet flows (Fig. 13, 16, 17, paragraph 0115-0120). Bahadiroglu discloses **a layer of the OSI reference model** (paragraph 0089: TCP/IP communication through OSI protocol model). Therefore, it would have been obvious to the person of ordinary skill in the art at the time of invention was made to incorporate **a layer of the OSI reference model** of Bahadiroglu to the method and the system of Pruthi, such that TCP/IP communication is analyzed in diverse range of networks including wired and wireless networks interconnected by computer, router through service access point (SAP) of OSI model. The motivation would have been to provide

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adaptive packet mechanism for optimizing data packet transmission through a connection between the sending node and the receiving node (Bahadiroglu paragraph 0047 lines 1-7).

**For claims 18, 20, Pruthi discloses**

- **test run** (Fig 10: traffic visualizer)

Pruthi and Bahadiroglu disclose all the subject matter of the claimed invention with the exception of **the predefined additional item of information is defined as a specific event that occurs during a test run** whereas Pruthi discloses test run by using traffic visualizer (Fig. 10, Fig. 17, Fig. 20, paragraph 0036). Bertram from the same or similar fields of endeavor discloses **the predefined additional item of information is defined as a specific event that occurs during a test run** (Fig. 4, col 4 lines 12-32, col 5 lines 19-24, col 6 lines 16-50: display screen displays, clickable icons produced automatically by system, e.g., CPU, on the line graph of % storage capacity change over a 12 hour periods to show line graph of memory I/O parameter, which is store in memory; the specific event is equivalent to memory I/O parameter to access resources stored). Therefore, it would have been obvious to the person of ordinary skill in the art at the time of invention was made to incorporate **the predefined additional item of information is defined as a specific event that occurs during a test run** of Bertram into the system and the method of Pruthi and Bahadiroglu, such that the display device displays icons, which are automatically produced by system based on predefined information, e.g., memory I/O parameter, and provides parameters

as line graph on additional window by clicking the icon. The motivation would have been to provide less cluttered and easier graphical display access to communication networks and particularly to user interactive access for network monitoring and administration purpose (Bertram col 1 lines 38-45).

13. **Claims 19, 21** are rejected under 35 U.S.C. 103(a) as being unpatentable by Pruthi (US 2002/0105911) in view of Bahadiroglu (US 2002/0186660) and Bertram et al. (US 6,144,379) as applied to claims 18, 20 above, and further in view of Hilliker (US 2002/0100422).

**For claims 19, 21**, Pruthi discloses

- **test run** (Fig 10: traffic visualizer)

Pruthi, Bahadiroglu, and Bertram disclose all the subject matter of the claimed invention with **the exception of the specific event is a change of attenuation**. Bertram discloses display screen displays, clickable icons produced automatically by system, e.g., CPU, on the line graph of % storage capacity change over a 12 hour periods to show line graph of memory I/O parameter, which is store in memory; the specific event is equivalent to memory I/O parameter to access resources stored (Fig. 4, col 4 lines 12-32, col 5 lines 19-24, col 6 lines 16-50). Hilliker from the same or similar fields of endeavor discloses **the specific event is a change of attenuation** (Fig. 5; paragraph 0045 lines 1-10: test output generated by network analyzer for test configuration including a plot of attenuation versus frequency, and a table of values

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corresponding to the markers on plots). Therefore, it would have been obvious to the person of ordinary skill in the art at the time of invention was made to apply a known technique, e.g., providing attenuation change on plot, to a known device (method or product) ready for improvement to yield predictable results, such that the display device provides clickable icons automatically produced based on the change of attenuation.

### ***Conclusion***

14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jae Y. Lee whose telephone number is (571) 270-3936. The examiner can normally be reached on Monday through Friday from 7:30 AM to 5:00 PM EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Ryman can be reached on (571) 272-3152. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jae Y Lee/  
Examiner, Art Unit 2466

/Daniel J. Ryman/  
Supervisory Patent Examiner, Art  
Unit 2466